

ENTERED

December 13, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

OLUSHOLA OLAMIDE	§	CIVIL ACTION No
AJAYI,	§	4:24-cv-01698
Petitioner,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
ALEJANDRO	§	
MAYORKAS,	§	
SECRETARY	§	
DEPARTMENT OF	§	
HOMELAND	§	
SECURITY, <i>et al</i> ,	§	
Respondents.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Petitioner Olushola Olamide Ajayi, proceeding *pro se*, filed a Complaint seeking a Writ of Mandamus ordering the United States Citizenship and Immigration Services to process his I-485 Application to Register Permanent Residence of Adjust Status and his form I-360, filed on February 19, 2020. Dkt 1. The matter was referred for disposition to Magistrate Judge Christina A. Bryan. Dkt 2.

Pending is a Memorandum and Recommendation by Judge Bryan dated October 23, 2024. Dkt 10. She recommends that this case be dismissed without prejudice for want of prosecution because, despite being informed of his responsibility to effect service, and being advised of the procedure to do so, Petitioner didn't timely serve Respondents. Id.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically

objected. See FRCP 72(b)(3) & 28 USC §636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).


None of the parties filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 10.

This case is DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

Signed on December 13, 2024, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge